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OFFICE OF PETITIONS

In re Application of :
Rix S. Chan et al. :
Application No. 09/216,378 : DECISION ON PETITION
Filed: December 18, 1998 : UNDER 37 C.F.R. § 1.181
Attorney Docket No.: 450.250US1 :
Title: NOISE REDUCTION SCHEME :
FOR A COMPUTER SYSTEM :

This is a decision on the petition pursuant to 37 C.F.R. § 1.137(b)¹, filed on October 31, 2007, to revive the above-identified application.

The petition under 37 C.F.R. § 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. § 1.113 in a timely manner to the final Office action mailed July 13, 2006, which set a shortened statutory period for reply of three months. No extensions of time under the provisions of 37 C.F.R. § 1.136(a) were obtained, and no response was received. Accordingly, the above-identified application became abandoned on October 14, 2006.

¹ A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

A petition pursuant to 37 C.F.R. § 1.181 was filed on July 11, 2007, which was dismissed via the mailing of a decision on October 11, 2007.

With this petition, Petitioner has submitted the petition fee and the proper statement of unintentional delay. A terminal disclaimer is not required.

Petitioner has also submitted a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114, including a request for consideration of a concurrently submitted amendment and payment of the RCE fee. The RCE has been accepted as the required reply under 37 C.F.R. § 1.137(b)(1). Having made a statement which is being construed as the proper statement of unintentional delay and having submitted the petition fee, Petitioner has met all other requirements for a grantable petition under 37 C.F.R. § 1.137(b).

The application file is being forwarded to Technology Center 2600 for consideration of the submission under 37 C.F.R. § 1.114, the amendment filed on October 31, 2007.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225². All other inquiries concerning the status of the application should be directed to the Technology Center.

/Paul Shanowski/
Paul Shanowski
Senior Attorney
Office of Petitions

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.